

**MINUTES OF THE MEETING FOR THE
NEVADA STATE BOARD OF ATHLETIC TRAINERS (NSBAT)**

DATE: August 8, 2006

LOCATIONS:

University of Nevada Reno
1664 N. Virginia Street
Getchell Library Room 9
Reno, NV 89557

University of Nevada Las Vegas
4505 Maryland Parkway
College of Education Bldg. (CEB) #216
Las Vegas, NV 89154

1. Meeting called to order by Steve McCauley at 9:10am. Members present include Steve McCauley, Marc Paul, Ann Dovenmuehler, Janene Jackson; others present include Keith Marcher (AG rep via teleconference), Joleen Nemeth (Exec Sec), Robert Conatser (public), Mack Rubley (public) and Nicole Smith (public); Anne Hanson excused absence.
2. Review and approve minutes of 12/13/06 meeting: Action already taken at last meeting (April 4, 2006).
3. Update on disciplinary action reports and investigation of unlicensed activity: The Disciplinary Action Report (DAR) for the second quarter (April 1, 2006 to July 31, 2006) reflected the Nevada State Board of Athletic Trainers had not taken any disciplinary action.
4. Review and approve applications for subcommittee on fitness professionals:
 - b) Steve recuses himself as presiding member of the Board to Janene due to being submitted by the NV Athletic Trainers Association for consideration to the subcommittee. Janene asks for discussion. Marc states he is impressed with all candidates, knows Robert Conatser and Bruce Kahl are very interested. Marc's thoughts are based on those present at this meeting; believes Robert Conatser and Steve McCauley have a lot of experience. Marc knows William Holcomb is busy would do a good job.

Janene asks Rob Conatser for comments. Rob states his background consists of being certified as an Athletic Trainer since 1993, became a Strength and Conditioning Specialist in 1997, worked 10 years at college and 5 years at the clinic at UNR. Now he runs his own clinic. Rob believes in oversight.

Janene asks Steve McCauley for comments. Steve believes having been part of the legislative development is important. Keith mentions if Steve were to be on the subcommittee, someone could raise comments about a conflict of interest. Keith is not sure there would be a conflict, however, he is making Steve aware. Steve asks if that could undermine the process of the subcommittee. Keith replies probably not unless someone complains. If there was a conflict of interest, Steve could always step down and appoint someone else. Steve mentions the subcommittee's purpose is to write language for Fitness Professionals; the Board is just to give administrative assistance. Keith states the subcommittee would promulgate and do work then submit the work to the Board. The Board then approves and language goes to the legislature.

Janene states she agrees Steve is a good candidate because of his experience. If he is appointed to the subcommittee, the Board will deal with issues if they arise. Janene has not met the other two candidates (Bruce Kahl and William Holcomb), and because Rob is present at the meeting, Janene is in favor of him. Ann D. states she is in agreement with the other Board members, Steve has been around from the beginning and Rob is present at the meeting.
 - c) All Board members state due to Nicole Smith being present at the meeting and based on her background, she is a good candidate for the subcommittee. Janene mentions she is glad to see Nicole at the meeting and likes her experience.

Marc motions to appoint Robert Conatser, Steve McCauley, and Nicole Smith to the subcommittee on fitness professionals. Ann D. seconds the motion. Approved 3-0.

5. Update on budget for 2006: Marc asks about In-State travel line item on the budget. Steve explains he did not know about teleconferencing at the time the budget was prepared. Marc suggests possibly adding conferences to the budget. Steve mentions can place reconstructing the budget on next meeting's agenda if the members would like to. Steve asks if there are any more questions. There are none.

6. Review progress of the drafting of the Nevada Administrative Code (NAC): Janene is working on the draft and is making progress; however, data was lost from the hard drive but she does have a hard copy (about 10 pages); may have to begin again. Keith asks Janene to contact him regarding the matter. Marc asks if Janene has worked with the Legislative Council, she replies not yet. Keith mentions the procedural process. Janene asks if this is to be done in stages or all at once. Keith states 640B.260 has a list on what to do and it is easier to do in stages. Steve asks for other comments, there are none.

7. Update on NAC language for LCB File #R181-05 relating to standards of practice and maintaining certification:

Steve states as far as he knows, he has not yet checked with the Secretary of States office, most language has been adopted. There was an issue with the term "athletic activity". The language submitted regarding "athletic activity" was stricken from the NAC. The NAC was then resubmitted without the above mentioned language and was approved. Steve is unsure if the language is in the code yet. Steve mentions there have been ADHOC/subgroup meetings concerning the "athletic activity" definition and presents a list of definitions that subgroup is working on. They met on two occasions. They continue to meet in good faith in hopes of bridging the gap-need to find common language to bridge differences.

Steve opens for comments from members and public. Marc asks if there is a timeline in which to get this done. Steve asks Keith. Steve mentions 95% of language has been approved and put into law. Steve asks if the Board is still charged with #2 in NRS260 or if the Board is done. Keith states he needs to review what was approved; Keith comments the Legislative Counsel approved all language in the regulation except "athletic activity". Steve states the LCB first rejected, then the Board was told to redo, the Board eliminated one definition and the LCB approved. Keith states if the Board is satisfied with the NAC, then the Board does not need to redo the reg. Keith states the Board can add a new reg if needed, however, can not reopen previous reg. Steve states the Board needs to start new language, doesn't know if there is a timeline. Legislature gave areas to start with first, but quicker the better. Janene asks Keith about Continuing Education (ConEd). Keith mentions other new boards just got ConEd done; he suggests getting the list done (provided in 260), then move on to other requirements at the Board's leisure. Janene believes it will not be difficult to get ConEd done. Steve mentions in order to get licensed, applicant must be in good standing with the BOC which requires CEU's. Keith states the Board still needs to get something to the LCB. Janene suggests bringing ConEd to next meeting. Steve mentions it will be put on the next agenda for discussion and approval. Steve states with regard to the term "athletic activity", the Board will work diligently with the PT community to reach an agreement. Steve asks for other comments. Janene mentions communication is going well with other members and feels comfortable a decision will be reached soon. Mack Rubley agrees the meetings have been cordial, however, it seems that when they think they are done, they are not. He thought that at the last meeting, a conclusion was made. Janene thought one version of "athletic activity" was done and is not sure where the other versions came from (from list). Mack believes versions 1 and 2 are the same and redundant and does not know where version 3 came from. Steve states he emailed Beth; Beth emailed back #2 and #3, Steve then replied he thought they were down to one version. Mack states #1 was last discussed. Steve states he brought all versions back to the Board to be sure all parties' inputs were considered. Steve is not sure why the other two versions have been brought forward. Steve states Beth said the NVPTA was having a problem with the term "performance"; the other two versions are from discussions with NVPTA. Steve mentions he is not defending either version, just bringing forth. Janene asks about the next meeting with the committee. Steve states there is not one schedule yet.

8. Review and possible action on licensure status and licensure renewal status:

Steve states, in the opinion of the chair, the list that is presented shows the people who don't want to follow the rules despite the Boards best efforts to notify through the website, written communication, and the NVATA. The list shows several members who are currently certified Athletic Trainers that have not renewed or are not licensed. Steve states the Board has two options, the members can divvy up the list and contact individuals personally, which Steve is in favor of, or submit letter stating they need to get licensed/renewed or cannot practice or use ATC in name/signature when dealing with the public. The Board's function is to police their own (ATC's). Janene states she thinks the Board should contact personally. Keith mentions if the Board is not able to reach

personally, then send letter with a caveat of if they don't respond, they will be turned over to the Attorney General's office for criminal investigation. Marc mentions he does not have much tolerance anymore, does not want to waste more time on this. Suggests following up with letter for those who have not renewed or are not current with the BOC. Steve states it is mandatory for the Board to come up with a game plan. Janene states she would like to personally contact those she knows. Keith believes statute might have late fee for those renewals that are late. Steve states there is nothing on late fees. Keith states the Board needs to get late fees established with NAC. Put on next agenda for review and approval for CEU's and fees in general. Mack Rubley asks if there is a category for those on the list and no longer practicing athletic training. Steve replies the Board needs a letter from those individuals stating they no longer practice athletic training and will not use ATC in their name/signature when dealing with the public; if they decide to start practicing again, they will become licensed.

Steve asks for a vote on either a blanket letter or contact personally. Janene motions to divvy up the list among members and contact personally regarding licensure/renewal status. Marc seconds the motion. Approved 4-0. Steve states Board members will report back findings at next meeting. Steve tells members to submit those known to Joleen and the rest of the list will be divvied up.

9. Public comments:

Steve opens for comments. Robert Conatser mentions he tried to email the State association through the website and never got a response. Mack says he will check to make sure the website is working. Steve makes clear there are two separate websites. NSBAT is separate from NVATA.

Nicole Smith mentions she is very glad to be present and would like to receive the minutes when they are available. Steve directs Nicole to the website. Steve mentions he will be emailing the members of the subcommittee to set up a meeting.

Mack Rubley states, for the Board's information, the National Strength and Conditioning Association has taken steps to developing education. He's been told this is to be done by January 1st. UNLV is developing a program. Steve mentions this information will be invaluable to the Board and will probably have Mack attending subcommittee meetings and providing information.

Steve asks for other comments. There are none.

10. Future agenda items:

- A. Discuss and take action on budget reconstruction.
- B. Discuss two Nevada Administrative Codes: Continuing Education and Fees.
- C. Review and approve minutes of meetings 4/4/06 and 8/8/06.
- D. Update on subcommittee.
- E. Review and possible action on licensure status and licensure renewal status.

11. Next meeting set for Tuesday September 12, 2006 at 10:00am.

12. Marc motions to adjourn; Ann D. seconds. Adjourned at 10:30am. Approved 4-0.